

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### PREVENTION AND TREATMENT OF HCV INFECTION EMPLOYING ANTIBODIES DIRECTED AGAINST CONFORMATIONAL EPITOPES

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

X is attached hereto

\_\_\_\_\_ was filed on \_\_\_\_\_ as Application  
Serial No. \_\_\_\_\_ and amended on \_\_\_\_\_ (if applicable).

\_\_\_\_\_ was filed as PCT international application No. \_\_\_\_\_,  
on \_\_\_\_\_ and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	Yes	No
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_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	Yes	No
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09728720-120400

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>U.S.S.N. 09/430,489</u>	<u>October 29, 1999</u>	<u>Pending</u>
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

<u>U.S.S.N. 09/187,057</u>	<u>November 5, 1998</u>	<u>Abandoned</u>
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

PCT Applications designating the United States:

<u>(PCT Appl. No.)</u>	<u>(U.S.S.N.)</u>	<u>(status-patented, pending, abandoned)</u>
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I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

<u>Application Number</u>	<u>Filing Date</u>	<u>Status</u>
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<u>Application Number</u>	<u>Filing Date</u>	<u>Status</u>
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

[illegible]

ATTORNEY'S DOCKET NUMBER: 2002850-0009 (S98-161)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Foung *et al.*  
Serial Number:  
Filed Date: December 1, 2000  
Title: PREVENTION AND TREATMENT OF HCV INFECTION  
EMPLOYING ANTIBODIES DIRECTED AGAINST  
CONFORMATIONAL EPITOPES

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

APPOINTMENT OF ATTORNEY

The undersigned hereby appoints Sam Pasternack, Registration No. 29,576; Brenda Herschbach Jarrell, Registration No. 39,223; Kevin M. Tormey, Registration No. 41,351; Karoline Shair, Registration No. 44,332; Elizabeth Nugent, Registration No. 43,839, Valarie B. Rosen, Registration No. 45,698; Anne Marie Dinius, Registration No. 45,592; Stanley C. Mah, Registration No. 46,189; C. Hunter Baker, Registration No. 46,533; and Monica R. Gerber, Registration No. 46,724 as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to C. Hunter Baker, M.D., Ph.D., Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
On behalf of \_\_\_\_\_

Dated: December 1, 2000

001001" 00202260

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

IN WITNESS WHEREOF, I hereto set my hand and seal at \_\_\_\_\_,  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**Steven K. H. Fountg**

STATE OF \_\_\_\_\_  
SS.

COUNTY OF \_\_\_\_\_

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared  
**Steven K. H. Fountg** known to me to be the person whose name of subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the  
purposes therein contained.

NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

IN WITNESS WHEREOF, I hereto set my hand and seal at \_\_\_\_\_,  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**Kenneth G. Hadlock**

STATE OF \_\_\_\_\_  
SS.

COUNTY OF \_\_\_\_\_

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared  
**Kenneth G. Hadlock** known to me to be the person whose name of subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the  
purposes therein contained.

NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

09728720 120400

IN WITNESS WHEREOF, I hereto set my hand and seal at \_\_\_\_\_,  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
**Zhen-yong Keck**

STATE OF \_\_\_\_\_  
SS.

COUNTY OF \_\_\_\_\_.

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, personally appeared  
**Zhen-yong Keck** known to me to be the person whose name of subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the  
purposes therein contained.

NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

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ATTORNEY DOCKET NUMBER: 2002850-0009 (S98-161)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Foung *et al.*

Serial No.:

Filing Date: December 1, 2000

Title: PREVENTION AND TREATMENT OF HCV INFECTION EMPLOYING  
ANTIBODIES DIRECTED AGAINST CONFORMATIONAL EPITOPES

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Sir:

**WRITTEN ASSERTION OF SMALL ENTITY STATUS**  
**UNDER 37 CFR §1.27(a)(3)**  
**NON-PROFIT ORGANIZATION**

The undersigned hereby asserts entitlement to small entity status as a non-profit organization under 37 CFR §1.27(a)(3) on behalf of the Board of Trustees of Leland Stanford Junior University.

This assertion is made on the ground that the Board of Trustees of Leland Stanford Junior University is either:

☒ (X) a university or other institution of higher education located in any country;

☐ ( ) an organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 USC §501(c)(3)) and exempt from taxation under section 501(a) of the Internal Revenue Code (26 USC §501(a));

☐ ( ) any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of this country (35 USC §201(i)); or

☐ ( ) any nonprofit organization, located in a foreign country, that would qualify as a nonprofit organization under paragraphs (b) or (c) above if it were located in this country,

and *has not* assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the above-referenced patent application to any party who does not qualify for small entity status either as a person, a small business concern, or a nonprofit organization under 37 CFR §1.27.

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Respectfully Submitted,

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Name:

Title:

Date:

09720720-120400

ATTORNEY'S DOCKET NUMBER: 2002850-0009 (S98-161)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

12/01/00  
09/728720  
U.S. PTO  
Jc921

Applicant: Foung *et al.*  
Serial No.:  
Filed: December 1, 2000  
For: PREVENTION AND TREATMENT OF HCV INFECTION  
EMPLOYING ANTIBODIES DIRECTED AGAINST  
CONFORMATIONAL EPITOPES

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Sir:

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION  
(37 CFR 3.73(b))

The assignee of the entire right, title and interest of inventors the Board of Trustees of Leland Stanford Junior University, hereby seeks to take action in the Patent and Trademark Office in the above matter.

Ownership by the assignee is established as follows:

\_\_\_\_\_ documents already recorded in the PTO on \_\_\_\_\_.

Reel \_\_\_\_\_ Frame \_\_\_\_\_; and

X documents separately submitted for recordal to the PTO (a copy of these documents is attached).

09/728720 "12/01/00

[illegible]

Signature of Authorized Person

Title of Authorized Person

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